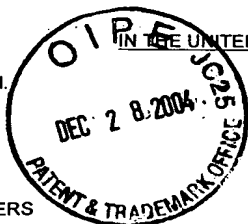


In Re Application of: Yukio KATO et al.

Application No.: 10/049,957

Filed: February 19, 2002

For: CHONDROGENESIS PROMOTERS



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit: 1647

Examiner: JON MCCLELLAND LOCKARD

Washington, D.C.

Atty.'s Docket: KATO=21

Date: December 28, 2004

Confirmation No. 8967

THE COMMISSIONER OF PATENTS
2011 South Clark Place, Mail Stop Amendment
Crystal Plaza Two, Lobby, Room 1803
Arlington, VA 22202

Sir:

Transmitted herewith is a [XX] REPLY: AMENDMENT AND REMARKS in the above-identified application.

[] Small Entity Status: Applicant(s) claim small entity status. See 37 C.F.R. §1.27.

[] No additional fee is required.

[XX] The fee has been calculated as shown below:

| | (Col. 1) | | (Col. 2) | (Col. 3) |
|---|---|-------|---------------------------------------|----------------------------|
| | CLAIMS REMAINING AFTER AMENDMENT | | HIGHEST NO. PREVIOUSLY PAID FOR | PRESENT EXTRA EQUALS |
| TOTAL | * 26 | MINUS | ** 24 | 2 |
| INDEP. | * 8 | MINUS | *** 6 | 2 |
| FIRST PRESENTATION OF MULTIPLE DEP. CLAIM | | | | |

| SMALL ENTITY | |
|----------------------|-------------------|
| RATE | ADDITIONAL FEE |
| x 25 | \$ |
| x 100 | \$ |
| + 180 | \$ |
| ADDITIONAL FEE TOTAL | |
| \$ | |

| OTHER THAN SMALL ENTITY | |
|-------------------------|-------------------|
| RATE | ADDITIONAL FEE |
| x 50 | \$ 100.00 |
| x 200 | \$ 400.00 |
| + 360 | \$ |
| TOTAL | |
| \$ 500.00 | |

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

[XX] Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[XX] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within

[] First - \$ 60.00
[] Second - \$ 225.00
[] Third - \$ 510.00
[] Fourth - \$ 795.00

Month After Time Period Set

Other Than Small Entity

Response Filed Within

[] First - \$ 120.00
[] Second - \$ 450.00
[XX] Third - \$ 1020.00
[] Fourth - \$ 1590.00

Month After Time Period Set

[] Less fees (\$) already paid for month(s) extension of time on .

[] Please charge my Deposit Account No. 02-4035 in the amount of \$.

[XX] Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$ 1520.00.

[] A check in the amount of \$ is attached (check no.).

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

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1020.00 OP

Facsimile: (202) 737-3528
Telephone: (202) 628-5197

BROWDY AND NEIMARK, P.L.L.C.

Attorneys for Applicant(s)

By: 
Anne M. Kornbau
Registration No. 25,884